

2126  
41
**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	11	Attorney Docket Number	022421-000110US (Formerly TRAS-510)
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<b>ENCLOSURES (Check all that apply)</b>		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Statement Under 37 CFR 3.73(b)
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
A copy of Notice of Recordation of Assignment		

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Technology Center 2100

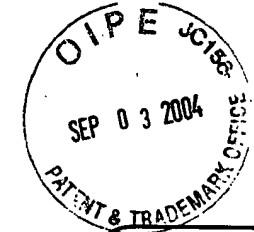
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Townsend and Townsend and Crew LLP	Reg. No. 37,692
Signature		
Date	3/9/04	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Tiffany Wu	
Signature		Date 3/3/04



**REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	09/931,390
Filing Date	08-14-2001
First Named Inventor	Wilkinson
Art Unit	2126
Examiner Name	Le Chi Truong
Attorney Docket Number	022421-000110US (formerly TRAS-510)

I hereby revoke all previous powers of attorney given in the above-identified application:

A Power of Attorney is submitted herewith.

OR

I hereby appoint the practitioners associated with the Customer Number:

20350

Please change the correspondence address for the above-identified application to:

The address associated with  
Customer Number:

20350

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SEP 08 2004

Technology Center 2100

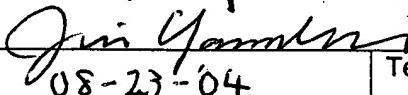
OR

<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City		State	ZIP
Country			
Telephone		Fax	

I am the:

- Applicant/Inventor.  
 Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Name	Jin Yamagishi		
Signature			
Date	08-23-04	Telephone	408-573-0520

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.



SEP 03 2004

PTO/SB/96 (08-03)

Attorney Docket No. 022421-000110US

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Tim Wilkinson, Peter Mehltz, Tony Fader

Application No./Patent No.: 09/931,390 Filed/Issue Date: August 14, 2001

Entitled: PORTABLE OPERATING ENVIRONMENT FOR INFORMATION DEVICES

Twin Communications, Inc. a California corporation,

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.

The extent (by, percentage) of its ownership interest is \_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

08-23-04

Date

408-573-0520

Telephone number

Jin Yamagishi

Typed or printed name

Jin Yamagishi

Signature

SVP & Co-Founder

Title



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

MARCH 05, 2002

PTAS

Chief Information Officer  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

SIERRA PATENT GROUP LTD.  
ANDREW V. SMITH  
P.O. BOX 6149  
STATELINE, NV 89449



\*101944851A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF  
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER  
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE  
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA  
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD  
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY  
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.  
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,  
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,  
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/08/2002

REEL/FRAME: 012439/0710

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

WILKINSON, TIM

DOC DATE: 11/09/2001

ASSIGNEE:

MEHLITZ, PETER

DOC DATE: 11/09/2001

ASSIGNEE:

FADER, TONY

DOC DATE: 11/15/2001

ASSIGNEE:

TRANSVIRTUAL TECHNOLOGIES, INC.  
188 THE EMBARCADERO  
SAN FRANCISCO, CALIFORNIA 94105

SERIAL NUMBER: 09931390

FILING DATE: 08/14/2001

PATENT NUMBER:

ISSUE DATE:

012439/0710 PAGE 2

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

01-14-2002

FORM PTO-1595

U.S. Department of Commerce  
Patent and Trademark Office

RE

101944851  
PATENTS ONLY

EET

1-8.09

To the Honorable Assistant Commissioner for Patents: Please record the attached original documents or copy thereof

## 1. Names of conveying parties

Tim Wilkinson

Peter Mehlitz

Tony Fader

Additional names (s) of conveying party(ies) attached ( ) yes (X) no

## 3. Nature of conveyance:

(X) Assignment ( ) Merger

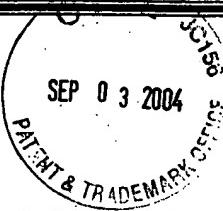
( ) Security Agreement ( ) Change of Name

( ) Other \_\_\_\_\_

Execution Date: Tim Wilkinson: November 9, 2001

Peter Mehlitz: November 9, 2001

Tony Fader: November 15, 2001



## 2. Name and address of receiving party

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Name: Transvirtual Technologies, Inc.

SEP 08 2004

Internal Address: \_\_\_\_\_

Technology Center 2100

Street Address: 188 The Embarcadero

City: San Francisco

State: CA Zip: 94105

Additional names (s) &amp; address(es) attached? ( ) Yes (X) No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of application is \_\_\_\_\_

A. Patent Application No.(s)

09/931,390

B. Patent No.(s)

Additional numbers attached? ( ) Yes (X) No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Andrew V. Smith

Internal Address: Sierra Patent Group, Ltd.

Address: P.O. Box 6149

City: Stateline State: NV Zip: 89449

## 6. Total number of applications and patents involved: 1

7. Total fee (37CFR 3.41).....\$40.00

(X) Enclosed

( ) Authorized to be charged to deposit account

8. Deposit account Number: 50-0612

(Attached duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Andrew V. Smith, Reg. No. 43,132

Name of Person Signing

Date

Signature

Total number of pages including cover sheet, attachments, and documents 3

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner for Patents, Box Assignment, Washington, D.C. 20231

**ASSIGNMENT**

WHEREAS, we, Tim Wilkinson, a citizen of the United States, residing at 1125 Oxford Street, Berkeley, California 94707, Peter Mehlitz, a citizen of the United States, residing at 1725 Arlington Blvd, El Cerrito, California 94530, and Tony Fader, a citizen of the United States, residing at 524 - 37<sup>th</sup> Avenue, Santa Cruz, California 95062, hereinafter referred to as Assignors, have invented a "**PORTABLE OPERATING ENVIRONMENT FOR INFORMATION DEVICES**" for which we have executed application papers for a U.S. patent thereon, which was filed on August 14, 2001, serial No. 09/931,390; and

WHEREAS, Transvirtual Technologies, Inc., a corporation in the State of California, having a place of business at 188 The Embarcadero, San Francisco, California 94105, hereinafter referred to as Assignee, is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefore in the United States of America and its territories and possessions, and all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, the Assignors, do sell, assign, transfer and set over unto said Assignee, its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all Letters Patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Assignee, its successors and assigns, in accordance with this Assignment.

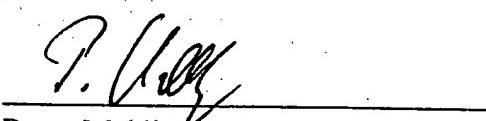
IN TESTIMONY WHEREOF, Assignors have hereunto signed his/her name to this assignment on the date indicated below.



Tim Wilkinson

11/9/01

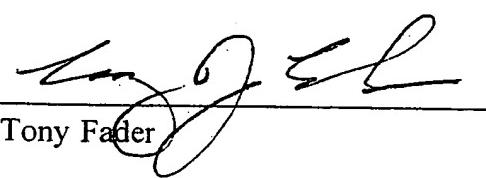
Date



Peter Mehlitz

11/9/01

Date



Tony Fader

11.15.01

Date

## **AGREEMENT**

This Agreement (together, with its Exhibits, "Agreement") is made and entered into by and between Twin Communications of America, Inc. ("Twin" or "Purchaser"), a corporation duly incorporated under the laws of California with its principal business address as set forth below on the signature page hereof, and Transvirtual Technologies, Inc., a California corporation (also referred to as "Transvirtual") with its principal business address as set forth below on the signature page hereof. Together, Purchaser and Transvirtual are the only parties to this Agreement, each a "party" and collectively "the parties."

Purchaser and Transvirtual agree as follows:

## **Section 2. Sale of Software, License of Tools, and Transfer of Know-How**

**2.1 Sale of Software and Delivery of Source Code to Purchaser.** Subject to this Agreement's terms and conditions, Transvirtual hereby sells to Purchaser the Software. Such sale includes any and all filed patents, patent applications, trade secrets, trademarks, and applications for trademarks associated with the Software, all of which, if any, are set forth in Exhibit C. All rights sold under this Section 2.1 shall be fully paid-up and royalty-free upon receipt of the payment set forth in Section 3.1. Upon receipt of the payments set forth in Section 3.1, Transvirtual will deliver to Purchaser its most current, complete and accurate copy of all Source Code ,Object Code and Tools for the Software.

**2.2 License Grant.** Subject to this Agreement's terms and conditions, Transvirtual hereby grants to Purchaser the following exclusive license throughout the worldwide free to: use, copy, reproduce, market, distribute (directly or indirectly through others), sub-license (directly and/or indirectly through others), make the assignment of any other third party, make derivatives of, and otherwise commercially exploit, the Tools. All rights granted in this Section 2.2 shall be fully paid-up and royalty-free upon receipt of the payment set forth in Section 3.1.

**2.3 Transfer of Know-How.** At or within three weeks the delivery of the Source Code for the respective Software to Purchaser as described in Section 2.1, at Transvirtual's cost and through a person familiar with the Software, Transvirtual shall conduct a tutorial to transfer the know-how associated therewith, consisting of not more than 24 hours of training in the methodology, architecture, and operation of the Software for one or more of Purchaser's engineers. Such training shall be at a mutually acceptable time and place and may occur after ordinary working hours on a basis acceptable to both parties. Purchaser personnel receiving such instruction shall be reasonably proficient in the computer programming skills necessary for Transvirtual to transfer the information so that a Purchaser engineer can create, modify and implement changes to the Software.

## **Section 5. Proprietary Rights**

**5.1 Enhancements.** Purchaser shall own all Software and all transferred intellectual property rights therein, any and all modifications, upgrades, adaptations, improvements and other enhancements to the Software that it (or other(s)) makes to the Software and shall have full rights to exploit same as it sees fit, without royalty or other payment to Transvirtual.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by a duly authorized representative and acknowledge that they understand and agree to be bound by the terms and conditions of this Agreement.

April 24, 2003

**Transvirtual Technologies, Inc.**

P.O. Box 1330  
Alamo, CA 94507 USA

Name: Noboru Kosaka  
Title: Director, responsible for TVT asset transfer to Twin Communications of America Inc.

Signature:



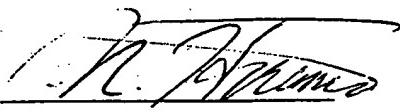
April 24, 2003

**Twin Communications of America, Inc.**

2010 N. First Street Suite 104  
San Jose, California 95131 USA

Name: Nobuharu Hiruma  
Title: CEO & President

Signature:



## **Exhibit C**

### **Patents, Trademarks, Graphics, Applications etc.**

#### **Patents:**

Patents include the following one provisional patent six US patents and one PCT patent.

- 1. TRAS-500: Platform and Key Enabling Software for Information Devices and Net Appliances--**  
Expired Provisional. (US Application No. 60/225,569, Filed on 08/14/2000)
- 2. TRAS-510: Portable Operating Environment for Information Devices**  
US Application No. 09/931,390, Filed on 08/14/2001,  
Published on 07/11/2002, Published No. US-2002 -0091800-A1
- 3. TRAS-520: Portable Operating Environment for Information Devices**  
US Application No. 09/931,648, Filed on 08/14/2001,  
Not published yet
- 4. TRAS-530: Portable Operating Environment for Information Devices**  
US Application No. 09/931,576, Filed on 08/14/2001,  
Published on 06/13/2002, Published No. US-2002-0070951-A1
- 5. TRAS-540: Portable Operating Environment for Information Devices**  
US Application No. 09/931,391, Filed on 08/14/2001,  
Published on 05/16/2002, Published No. US-2002-0057290-A1
- 6. TRAS-550: Portable Operating Environment for Information Devices**  
US Application No. 09/931,393, Filed on 08/14/2001,  
Published on 05/16/2002, Published No. US-2002-0057837-A1
- 7. TRAS-560: Portable Operating Environment for Information Devices**  
US Application No. 09/925,888, Filed on 08/14/2001,  
Published on 07/25/2002, Published No. US-2002-0099867-A1
- 8. TRAS-510PCT: Portable Operating Environment for Information Devices**  
US Application No.PCT/US01/25632, Filed on 08/14/2001,  
Published on 02/21/2002, Published No. W02/15004